

**IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION**

IN RE:

**DAVID MICHAEL MOBLEY**  
Debtor

**CASE NO. 22-60004  
CHAPTER 11**

**INTERESTED PARTY LISA MOBLEY'S EMERGENCY MOTION  
TO QUASH SUBPOENA ISSUED TO BANK OF AMERICA, N.A. (ECF 126).**

**TO: THE HONORABLE CHRISTOPHER M. LÓPEZ,  
UNITED STATES BANKRUPTCY JUDGE.**

Interested party, Lisa Mobley, hereby requests the Bankruptcy Court to quash the Subpoena served by Quality Lease and Rental Holdings, LLC and related entities ("QLRH") on Bank of America, National Association (ECF 126).

**REQUEST FOR AN EMERGENCY HEARING ON THE MOTION TO QUASH.**

1. On August 3, 2022 QLRH filed a proposed subpoena it intended to serve on Bank of America, National Association the following day, August 4, 2022. (ECF 126).
2. The subpoena demands that Bank of America, National Association comply with the demand no later than September 5, 2022 at 10:00 a.m. September 5, 2022 is Labor Day, a national holiday recognized by the federal Courts and banking institutions, such as Bank of America, National Association.
3. The Debtor in this bankruptcy is David Michael Mobley.
4. Lisa Mobley is the Debtor's current wife.

5. Lisa Mobley is neither a joint debtor with David Michael Mobley in this bankruptcy, nor is she a debtor in a separate bankruptcy.

6. Lisa Mobley is not a party to the pre-petition dispute between David Michael Mobley, the Debtor, and QLRH, a nominal claimholder.

7. The Subpoena concerns Bank of America, National Association's accounts ending in 5387 and 8772. These named accounts are not those of David Michael Mobley. These accounts are the sole accounts of Lisa Mobley. The money in these accounts involve her separate and/or sole managed community property.

8. David Michael Mobley has no interest in these named accounts.

9. Lisa Mobley, although mentioned by name in the subpoena, was not provided prior notice of its issuance.

10. Lisa Mobley is just now learning of its issuance.

11. Further, Lisa Mobley has been informed that shortly David Michael Mobley intends to file a motion with the Bankruptcy Court seeking a dismissal of his bankruptcy.

12. On Friday, September 2, 2022, after the law firm was retained by Lisa Mobley, undersigned counsel telephoned and emailed counsel for QLRH, Walter J. Cicack. Neither he nor his office were available.

13. Lisa Mobley will be harmed by execution of this subpoena. The lack of notice to Lisa Mobley, her late retention of counsel and the Labor Day weekend has made it difficult or impossible to attempt to resolve Lisa Mobley's concerns with opposing counsel.

**ALTERNATIVE RELIEF REQUESTED.**

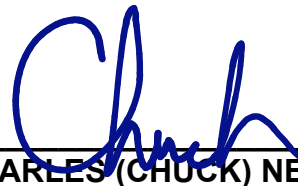
14. Should Bank of America, National Association have already complied with the subpoena or inadvertently provided the information to QLRH, this information, and all copies shall be provided to Lisa Mobley, and all parties should be enjoined from disclosing or utilizing this information in any legal proceeding.

WHEREFORE, premises considered, Lisa Mobley respectfully prays that this Court will grant her motion to quash. Alternatively, Lisa Mobley prays that any information provided by Bank of America, National Association will be turned over, including all copies, to Lisa Mobley, and that all parties are enjoined from disclosing this information or utilizing it in any litigation.

Respectfully submitted,

**CHARLES NEWTON & ASSOCIATES  
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**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing Emergency Motion to Quash was served on the following parties via electronic means, if possible, otherwise by the means stated below:

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% CT Corporation System  
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DATED: September 5, 2022

  
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CHARLES (CHUCK) NEWTON